

## REMARKS

In the Office Action mailed September 23, 2004, claims 1-11 were rejected. Claims 1-11 are now pending in the application. In view of the remarks and amendments, Applicant respectfully requests reconsideration of the application.

Examiner objected to the title of the invention. The title has been amended to more particularly identify the invention.

Claims 1-5 and 8-11 were rejected under U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0041329 (hereinafter Steinberg). Applicant respectfully disagrees based on the amendments and remarks below.

Steinberg teaches a photography messaging and advertisement system. According to Steinberg, the system transmits and receives messages/advertisements between the camera and the message center. Steinberg teaches that the user of the camera can elect to not receive messages/advertisements. (Steinberg, Abstract)

Further, Steinberg teaches multiple remote sources to receive information. For example, Steinberg teaches the camera receiving information from the message center 12 and from a computer 40 through a programmable card 36. (Steinberg, paragraph [0033] and Figure 1)

Applicant amends Claim1 to include the limitation of:

a digital camera configured to send the image data  
exclusively to the remote storage device and to  
receive advertising data exclusively from the remote  
storage device

In marked contrast to Claim 1, Steinberg teaches the use of multiple sources to exchange data such as the computer 40 and the message center 12. (Steinberg, paragraph [0033] and Figure 1) Claim 1 recites a digital camera configured to send and receive data exclusively through a remote storage device. Applicant submits that Steinberg fails to teach this digital camera configured to send and receive data exclusively through a remote storage device.

Therefore, independent Claim 1 is in condition for allowance. In addition, Claims 2-4 depend directly or indirectly on Claim 1 and therefore, are patentable for at least the same reasons discussed above.

Applicant amends Claim 5 to include the limitation of:

uploading image data from a digital camera to an  
exclusive and predetermined remote location; and  
downloading advertising data from the exclusive and  
predetermined remote location to the digital camera

In marked contrast to Claim 5, Steinberg teaches the use of multiple sources to exchange data such as the computer 40 and the message center 12. (Steinberg, paragraph [0033] and Figure 1) Claim 5 recites a method that uploads image data exclusively to a predetermined remote location and downloads advertising data exclusively from the same predetermined remote location. Applicant submits that Steinberg fails to teach uploading and downloading data exclusively through the predetermined remote location. Further, Steinberg fails to teach uploading image data to any remote location.

Therefore, independent Claim 5 is in condition for allowance. In addition, Claims 6-8 depend directly or indirectly on Claim 5 and therefore, are patentable for at least the same reasons discussed above.

Applicant amends Claim 9 to include the limitation of:

an interface connected to the buffer configured to  
upload the image data from the digital camera to an  
exclusive and predetermined remote location and to  
download the advertising data from the exclusive and  
predetermined remote location to the digital camera

In marked contrast to Claim 9, Steinberg teaches the use of multiple sources to exchange data such as the computer 40 and the message center 12. (Steinberg, paragraph [0033] and Figure 1) Claim 9 recites an interface configured to upload image data exclusively to a predetermined remote location and to download advertising data exclusively from the same predetermined remote location. Applicant submits that Steinberg fails to teach uploading and downloading data exclusively through the predetermined remote location. Further, Steinberg fails to teach uploading image data to any remote location.

Therefore, independent Claim 9 is in condition for allowance. In addition, Claims 10-11 depend directly or indirectly on Claim 9 and therefore, are patentable for at least the same reasons discussed above.

Claims 6 and 7 were rejected under U.S.C. § 103(a) as being unpatentable over Steinberg. Examiner takes Official Notice in the Examiner's rejection of Claims 6 and 7. Applicant respectfully objects to the Examiner's Official Notice. In the alternative, Applicant's objection may be moot considering that Claims 6 and 7 depend on independent Claim 5. Since Claim 5 is in a

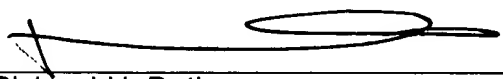
condition for allowance for the same reasons stated above, Claims 6 and 7 are also in a condition for allowance.

In view of the foregoing remarks and amendments, Applicant respectfully submits that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Richard H. Butler at (408) 223-9763.

Respectfully submitted,

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